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Containing the freshest Advices, Foreign and Domestic.

MONDAY, April 10, 1775.

To the Inhabitants of the Colony of MASSACHUSETTS-BAY.

MY FRIENDS, *Vid. supra 708.*

THE cases of Wales and Ireland are not yet exhausted.—They afford such irrefragable proofs, that there is a distinction between the crown and realm, and that a country may be annexed and subject to the former, and not the latter, that they ought to be thoroughly studied and understood.

The more these cases as well as those of Chester, Durham, Jersey, Guernsey, Calais, Gascoine, Guienne, &c. are examined, the more clearly it will appear, that there is no precedent in English records, no rule of common law, no provision in the English constitution, no policy in the English or British government, for the case of the colonies; and therefore that we derive our laws and government solely from our own compacts with Britain and her kings, and from the great legislature of the universe.

We ought to be cautious of the inaccuracies of the greatest men, for these are apt to lead us a stray.—Lord Coke, in 7 rep. 21. 6 says "Wales was sometimes a kingdom, as it appeareth by 19 H. 6. fol. 6, and by the act of parliament of 2 H. 5. cap. 6, but whiles it was a kingdom, the same was holden, *and within the fee of the king of England*: and this appeareth by our books, Fleta, lib. 1. E. 3, 14, 8. E 3, 59, 13. E. 3. Tit. Juriſdict. 10. H. 4. 6. Plow. com, 368.—And in this respect, in diverse ancient charters, kings of old time stiled themselves in several manners, as king Edgar, Britanniæ, Basileus, Etheldrus, Totius Albionis Dei providentia Imperator, Edredus magnæ Britanniæ Monarcha, which among many others of like nature I have seen. But by the statute of 12 of Ed. 1. *Wales was united and incorporated into England and made parcel of England in possession*; and therefore it is ruled in 7 H. 4. fol. 14. That no protection doth lie, *quia moratur in Wallia*, because Wales is within the realm of England. And where it is recited in the act of 27 H. 8. *that Wales was ever parcel of the realm of England*, it is true in this sense, viz. that before 12 E. 1. it was parcel in tenure, and since *it is parcel of the body of the realm*. And whosoever is born within the fee of the king of England, though it be in another kingdom, is a natural-born subject, and capable and inheritable of lands in England, as it appeareth in Plow. com. 126. And therefore those that were born in Wales before 12 E. 1. while it was only holden of England, were capable & inheritable of lands in England."

Where my lord Coke, or any other sage shews us the ground on which his opinion stands, we can judge for ourselves, whether the ground is good, and his opinion just.—And if we examine by this rule, we shall find in the foregoing words, several palpable inaccuracies of expression.—1, by the 12 E. 1 (which is the *Statutum Walliæ* quoted by me before) it is certain, *that Wales was not united and incorporated into England, & made parcel of England*.—It was annexed and united to the crown of England only.—It was done by the king's sole and absolute authority—not by an act of parliament, but by a mere *constitutio imperatoria* and neither E. 1, nor any of his successors ever would relinquish the right of ruling it, by mere will and discretion, until the reign of James 1.—2d. It is not recited in the 27 H. 8, that Wales was ever parcel of the realm of England.—The words of that statute are, "incorporated, annexed, united and subject to and under the imperial crown of this realm, is a decisive proof that a country may be annexed to the one, without being united with the other.—And this appears fully in lord Coke himself, 7 rep. 22, b. "Ireland originally came to the kings of England by conquest, but who was the first conqueror thereof hath been a question. I have seen a charter made by king Edgar, in these words, *Ego Edgarus Anglorum Basileus, omnium quæ insularum oceani, quæ Britanniam circumjacent, imperatur et dominus, gratias ago Deo omnipotenti regi meo, qui meum imperium ampliavit et exaltavit super regnum patrum meorum, &c. Mihi concessit propitia divinitas, cum an-*

glorum imperiis omnia regna insularum oceani, &c. Cum suis ferocissibus regibus usque Norvegiam, maximamque partem Hiberniæ, cum sua nobilissima civitate de Dublina, Anglorum regno subjugare, quapropter et ego Christi gloriam et laudem in regno meo exaltare, et ejus servitium amplificare devotus disposui, &c.—Yet for that it was wholly conquered in the reign of H. 2. The honour of the conquest of Ireland is attributed to him. That Ireland is a dominion separate and divided from England, it is evident by our books, 20 H. 6, 8. Sir John Pilkington's case, 32. H 6. 26. 20 Eliz. Dyer 360 Plow. com. 360, and 2 r. 3, 12. *Hibernia habet parliamentum, et faciunt leges, et statuta nostra, non ligant eos, quia non mittunt milites ad parliamentum (which is to be understood unless they be specially named) sed personæ eorum sunt subjecti regis, sicut inhabitantes in Calesia, Gasconia et Guigan.* Wherein it is to be observed, that the Irishman (as to his subjection) is compared to men born in Calice, Gascoin and Guian. Concerning their laws, *Ex rotulis patentium de anno* 11. Regis H. 3, there is a charter which that king made beginning in these words: *Rex Baronibus, Militibus et omnibus libere tenentibus L. salutem, satis, ut credimus vestra audivit discretio, quod quando bonæ memoriæ Johannes quondam rex Angliæ, pater noster venit in Hiberniam, ipse duxit secum viros discretos et legis peritos, quorum communi consilio et ad juctantiam Hibernianſium statuit et præcepit leges Anglicanas in Hibernia, ita quod leges easdem in scripturas redactas reliquit sub sigillo suo ad scaccarium Dublin.* So as now the laws of England became the proper laws of Ireland; and therefore because they have parliaments holden there, whereat they have made diverse particular laws, concerning that dominion, as it appeareth in 20 H. 6. 8, and 20 Eliz. Dyer 360, and for that they retain unto this day diverse of their ancient customs, the book in 20 H. 6, 8, holdeth, that Ireland is governed by laws and customs, separate and diverse from the laws of England. A voyage royal may be made into Ireland. Vid. 11. H. 4. 7. and 7. E. 4. 27. which proveth it a distinct dominion. *And in anno* 33. *Eliz. it was resolved by all the judges of England in the case of* ORURKE *an Irishman, who had committed high treason in Ireland, that he by the statute of* 33 *H.* 8 *c.* 23, *might be indicted, arraigned, and tried for the same in England, according to the purview of that statute: the words of which statute be, that all treasons, &c. committed by any person out of the realm of England, shall be from henceforth inquired of. &c. And they all resolved (as afterwards they did also in sir John Perrot's case) that Ireland was out of the realm of England, and that treasons committed there were to be tried within England, by that statute.* In the statute of 4 H. 7. c. 24 of fines, provision is made for them that be out of this land, and it is holden in Plow. com. in Stowell's case 375, that he that is in Ireland is out of this land, and consequently within that proviso. Might not then the like plea be devised as well against any person born in Ireland, as (this is against Calvin a *Postnatus*) in Scotland? For the Irishman is born *extra ligeantia regis, regni sui Angliæ, &c.* which be *verba operative* in the plea: But all men know, that they are natural born subjects, and capable of, and inheritable to lands in England."——

I have been at the pains of transcribing this long passage for the sake of a variety of important observations that may be made upon it.—1. That exuberance of proof that is in it, both that Ireland is annexed to the crown, and that it is not annexed to the realm of England. 2. That the reasoning in the year book, that Ireland has a parliament, and makes laws, and our statutes don't bind them, because they don't send knights to parliament, is universal, and concludes against these statutes binding in which Ireland is specially named, as much as against these in which it is not, and therefore lord Coke's parenthesis, *(which is to be understood unless they be specially named)* is wholly arbitrary and groundless, unless it goes upon the supposition, that the king is absolute in Ireland, it being a conquered country, and so has power to bind it at his pleasure, by an act of parliament, or by an edict: or unless it goes upon the supposition of Blackstone, that there had been an express agreement and consent of the Irish nation to be bound by acts of the English parliament; and in either case it is not applicable even by analogy to America, because that is not a conquered country, and most certainly never consented to be bound by all acts of parliament, in which it should be named.—3. That the *instance, request & consent* of the Irish is stated, as a ground upon which king John and his discreet law-sages, first established the laws of England in Ireland.—4. The resolution of the judges in the cases of Orurke and Perrot, is express that Ireland was *without the realm of England*, and the late resolutions of both houses of parliament and the late opinion of the judges, that Americans may be sent to England upon the same statute to be tried for treason, is also express that America is *out of the realm of England*. So that we see what is to become of us, my friends. When they want to get our money by taxing us, our privileges by annihilating our charters, and to screen those from punishment who shall murder us at their command, then we are told that we are within the realm; but when they want to draw, hang and quarter us, for honestly defending those liberties which God and compact have given and secured to us, oh, then we are clearly *out of the realm!* 5. In Stowell's case it is resolved that Ireland is out of *this land*, that is, the land of England.—The consequence is, that it was out of the reach and extent of the *law of the land*, that is the common law.—America surely is still further removed from that *land*, and therefore is without the jurisdiction of that law which is called the law of the land in England.—I think it must appear by this time, that America is not parcel of the *realm, state, kingdom, government, empire* or *land* of England or Great-Britain, in any sense which can make it subject universally to the supreme legislature of that island.

But for the sake of curiosity, and for the purpose of shewing that the *consent even of a conquered people* has always been carefully conciliated. I beg leave to look over lord Coke's 4. Inst. p. 12. "After king Henry 2d." says he "had conquered Ireland, he sited and transcribed this modus (meaning the ancient treatise called *modus tenendi parliamentum*, which was rehearsed and declared before the conquerer at the time of the conquest, and by him approved for England) into Ireland, in a parchment roll, for the holding of parliaments there, which no doubt H. 2. did by advice of his judges, &c.—This *modus*, &c. was anno 6. H. 4. in the custody of Sir Christopher Preston, which roll H. 4. in the same year, *De assensu Johannis Talbot Chevalier*, his lieutenant there, and of his council of Ireland, exemplified, &c.

Here we see the original of a parliament in Ireland, which is assigned as the cause or reason why Ireland is a distant kingdom from England: and in the same, 4. inst. 349. we find more evidence that all this was done at the instance and request of the people in Ireland.—Lord Coke says, "H. 2 the father of K John, did ordain and command, *at the instance of the Irish*, that such laws as he had in England, should be of force and observed in Ireland —" Hereby Ireland being of itself a distant dominion, and no part of the kingdom of England (as it directly appeareth by many authorities in Calvin's case) was to have parliaments holden there, as England, &c." See the record as quoted by lord Coke in the same page. which shews that even this establishment of English laws, was made *De communi omnium de Hiberniæ consensu.*

This whole chapter is well worth attending to, because the records quoted in it shew how careful the ancients were to obtain the consent of the governed to all laws, tho' a conquered people and the king absolute.—Very unlike the minister of our æra, who is for pulling down and building up the most sacred establishments of laws and government, without the least regard to the consent or good will of Americans. (4) There is one observation more of lord Coke that deserves particular notice. "Sometimes the king of England called his nobles of Ireland to come to his parliament of England, &c. and by special words the parliament

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(1) See our Charter, pa. 1077, Vol. 2. See pa. 695, & 709. See declaratory act, pa. 521, & see page 436, 472. Vol. 2.

(2) See Tea Act, pa. 735, Vol. 1. & on molas. Act, see pa. 9, Vol. 2.

(2) See the Act for administring Justice, pa. 504.

(3) See index, under Towns, Counties, Representatives, Assembly, Congress, Continental, &c. vincent revolves &c, &c.

(4) See list of Grievances, pa. 971.

9 See pa. 695, &c. 709. W. See definition of common Law, pa. 964, Vol. 3. & pa. 691. See the ejectments of the English constitution, viz. marina Charter, pa. 790, 105. See the Bill of Rights, &c. 1053, Vol. 3.

(For more of NOVANGLUS, see the last Page) 712.

Further Advices by Captain Barker, who arrived at Marblehead from Falmouth, Yesterday se'nnight, viz.

LONDON, January 24

PARLIAMENTARY PROCEEDINGS.

HOUSE OF LORDS.

The following is the purport of Lord CHATHAM's Speech on Friday last on American affairs.

His Lordship first began by complaining of the great delay there was on the side of Administration respecting American business; that the papers had been detained six weeks, and now were brought with an empty parade; the contents of which he dared to say every noble Lord in the House, as well as many other persons out of it, had been previously acquainted with. His Lordship next adverted to the present miserable state of America, which he described in strong, descriptive, forcible, pathetic terms; and observed, that there was not, perhaps in the annals of any free country, an instance where the legislature could expect to extort obedience and duty by such coercive measures; that sending armed troops was not the way to make good subjects, nor even the way to produce that servility and thraldom Administration so much sought after; for that three millions of people, the descendants of fore-fathers who were forced out of this their native land by the narrow views of bigotted councils, were not likely so soon to give up their most valuable rights, and undoubted privileges; nay, what do I talk of three millions of people (said his Lordship) many more; Ireland is with them to a man; and as for every Whig in this country, the rights of America are so connected with his own, that his hand and heart must co-operate with their measures. His Lordship then took a large and extensive view of the rights of taxation and legislation, in which it would be doing great injustice to his oratory, judgment and observation, to attempt following him. He concluded by asserting what he said he had before often asserted, "That the property of a British subject was of that sacred and unalienable nature, that nothing under heaven could touch it, without the consent of the Proprietor." In this critical situation of affairs then, says his Lordship, it is my duty, aged and infirm as I am, to crawl to this House, and give my opinion and best advice; and having got thus far on the threshold of American business, I will knock at the doors of Administration for the admission of justice and sound policy, till I have obtained them. If I have therefore, my Lords, brought a paper in my hand, beseeching his Majesty, that he would be graciously pleased to withdraw the troops from Boston, as the first step of a reconciliation between these unhappy, ill-treated people and the mother country; for even upon the extravagant idea of the people of America deserving the chastisement they have received at the hands of Parliament, is it not better, is it not sounder policy, and does it not become a free nation more, to have this effected by the influence of a civil power (that constant palladium of Englishmen's rights) than dragooning them by main force, which (admitting it for a time effectual) must afterwards produce rancour, animosity, and revenge?

His Lordship then handed up his motion, for an humble address to be presented to his Majesty, for the removal of the troops from Boston.

In an answer to Lord Chatham, Lord Suffolk greatly condemned the conduct of the Americans; said, that Government had tried every *gentle* method in their power, but to no effect; that things were at last come to that crisis, that either the mother country must *assert* her authority, to resign it; thus himself, as one of his Majesty's Ministers, advised *coercive measures*, and would abide by such advice *at all hazards*.

Lord Littleton supported Lord Suffolk, and rested the principal part of his argument on the infallibility of acts of Parliament, which any power that resisted against, he said, should be *compelled* to submit to.

Lord Shelburne spoke in defence of the Americans; said he stood totally unconnected with men and measures, but that the noble Earl's motion carried with it such a conciliating mode, that he heartily adopted it.

Lord Camden went into an examination of the original rights of a free people, which he defined with accuracy, temper and precision. He observed in an inference from these premises, that arbitrary power may as well be lodging in a collective body as a single person; but whe ever it was exerted, it was unlawful, and may be resisted; that this was no novel doctrine, but as old as the constitution, and may be found in all the law-books, from Selden down to a Gentleman (meaning Judge Blackstone) whose Commentaries had been so justly and universally received in the world; that therefore acts of the State were not always infallible doctrines, but were, and ought to be, in particular cases, subject to the rights and freedoms of the people at large, who had the original right vested in them, of delegating their power and authority.

Lord Townshend quoted several acts of Parliament to shew how the Americans had trampled upon legislative authority. He said, he therefore should be for reducing them to obedience by those methods adopted by government, and which appeared to be the best. He next went into a short detail of the Irish commerce, and observed, that if the act of navigation was to be suspended, as the Americans wanted, he thought it should be first in favour of the Irish merchants, particularly those at Corke, whose local situation and respectful behaviour, entitled them to a preference.

Lord Gower, Rockford and Weymouth avowed the settled intentions of Government of *compelling* the Americans to the immediate obedience to the legislature of the mother country. (1)

The question was put, when on a division there appeared, not contents 77, contents 28.

House of Commons, January 25.

Mr. Edward Bacon rose and begged leave to present a petition from the merchants of Norwich; which being agreed to the same was read, setting forth the dangerous situation to which trade is reduced by the non-importation agreements, and praying that the House would, in their wisdom, do such things for the restoring harmony, as appeared most proper.

On the motion for its being referred to this day's committee, it passed in the negative, 85 to 12.

Another petition was presented from Dudley, to the same purport. The House were going to divide, but Mr. Burke said, he would not trouble the noble Lord (North) and his train, to walk out every five minutes in the mean pomp to inter petitions.

On the same question for refusing it being put, it was likewise carried in the negative without a division.

Mr. Skipwith next offered to present a petition from the inhabitants, manufacturers, &c. of Birmingham, which being received and read, set forth, "that they (the petitioners) desired the laws *against* America might be put in force, so as to bring the Americans to a speedy sense of their duty; and that Great Britain would exert her authority."

Lord North was for referring this petition to the Committee as the North American merchants petition is referred to, but Mr. Burke objected, saying this was not a petition concerning commerce, it was a warlike, bloodthirsty petition, and desired to hear the names of the persons who signed it read, which was complied with. This petition, however, was referred to the same Committee as the other petitions.

A very material regulation in collecting the custom-house duties at the out ports of this kingdom, in order to prevent smuggling, is to take place next month.

Yesterday morning tobacco of all kinds was raised two-pence in the pound, in consequence of the expected non-exportation from America. (2)

From the LONDON GAZETTE, of Feb. 11.

ST. JAMES's, February 9.

THIS day the Two Houses of Parliament presented to his Majesty the following ADDRESS:

The humble Address of the Right Honourable the Lords Spiritual and Temporal, and Commons, in Parliament assembled.

Die Martis, 7° Februarii, 1775.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, return your Majesty our most humble thanks for having been graciously pleased to communicate to us the several papers relating to the present state of the British colonies in America, which, by your Majesty's commands, have been laid before us. We have taken them into our most serious consideration; and we find, that a part of your Majesty's subjects, in the province of Massachusetts-Bay, have proceeded so far to resist the authority of the *Supreme Legislature*, that a *rebellion* at this time actually exists within the said province; and we see with the utmost concern, that they have been countenanced and encouraged by unlawful combinations and engagements, entered into by your Majesty's subjects in several of the other colonies, to the injury and oppression of many of their innocent fellow-subjects, resident within the kingdom of Great-Britain, and the rest of your Majesty's dominions. This conduct, on their part, appears to us the more inexcuseable, when we consider with how much temper your Majesty and the two Houses of Parliament, have acted in support of the laws and constitution of Great-Britain. We can never so far desert the trust reposed in us, as to relinquish any part of the Sovereign Authority over all your Majesty's dominions, which, by law, is vested in your Majesty, and the two Houses of Parliament. And the conduct of many persons in several of the colonies, during the late disturbances, is alone sufficient to convince us how necessary this power is for protection of the lives and fortunes of all your Majesty's subjects.

We ever have been, and always shall be, ready to pay attention and regard to any real grievances of any of your Majesty's subjects, which shall, in a dutiful and constitutional manner, be laid before us; and whenever any of the colonies shall make a proper application to us, we shall be ready to afford them every just and reasonable indulgence: At the same time, we confider it as our indispensible duty, humbly to beseech your Majesty, that you will take the most effectual measures to enforce due obedience to the laws and authority of the Supreme Legislature; and we beg leave, in the most solemn manner, to assure your Majesty, that it is our fixed resolution, at the hazard of our lives and properties, to stand by your Majesty against all rebellious attempts, in the maintenance of the just rights of your Majesty, and the two Houses of Parliament.

Feb. 11. Of all the American papers given into the House of Commons by Lord North, none appeared so obnoxious to Government as that stiled "A League and Covenant;" and it is said, the crown lawyers have given it as their opinion, that all the Bostonians who signed it have committed an overt act of high treason. (3)

House of Commons, January 31.

MR. Burke informed the House, that the merchants, traders and factors of Birmingham, trading or concerned in the trade and commerce carried on with North-America, having observed, by the votes of the House, that a petition had been presented, by persons pretending to be concerned in said commerce, he was instructed to lay such information respecting the same before them, as would not only prove that they were not concerned in said trade, but convince them of the very extraordinary means made use of to procure said petition. He moved, that the committee appointed to consider of the several petitions presented from the merchants and others concerned in the American commerce, be instructed to inquire into the manner of obtaining the petition from the inhabitants of the town and neighbourhood of Birmingham; and into the actual situation of the persons who signed it. Mr. Burke added, that he would not only prove, that the petitioners were not concerned by evidence produced at the bar, but he would bring the very persons, signing said petition, to the bar, to convict themselves, or more properly speaking, to confess there was not one of them who could have the most distant pretence for petitioning, that possessed a capital of a thousand pounds.

The question being put on Mr. Burke's motion, the House divided, Ayes 47, Noes 87.

House of Commons, February 2.

This day, a few minutes after four, Lord North rose, and in a speech which lasted near two hours, recapitulated the contents of the American papers which had been read to the House, and pronounced the province of Massachusetts-Bay, and other parts of New-England, to be in a state of actual rebellion, and proposed a conference with the House of Lords, that a joint address might be carried up to the throne. He said that administration wished to adopt conciliatory measures, if America would permit them; but at all events, in the first instance, the present step was become indispensibly necessary. Among other things, his Lordship stated the burthens borne by Britain and America, from which he drew this deduction, that every person in the former, on an average, contributed at the rate of 25s. a head, whereas the latter did not contribute 6d. His Lordship likewise, in the course of his speech, pointed out the measures intended to be pursued in case the King should agree to comply with their address. He said, he should propose a temporary act to put a stop to all the foreign trade of New-England, and particularly to their fishery on the banks of Newfoundland, till they returned to their duty; at the same time declaring, that whenever they should acknowledge the supreme authority of the British legislature, pay obedience to the laws of this realm, and make a due submission to the King, their real grievances upon their making proper application, would be redressed. His Lordship further observed, that the other colonies were not culpable, and he hoped might yet be brought to a sense of their duty to the Mother Country by more lenient measures, and he then concluded with a motion, "That an humble address be presented to his Majesty, to return thanks to his Majesty for communicating to the House the American papers, and that he would be pleased to take such measures as might be suitable to his wisdom for enforcing the laws against America, and promising to support him in a full & vigorous execution of the same with their lives and fortunes." The measures proposed to be taken the letter to force obedience in New-England were mentioned generally, and are said to be, to send fourteen frigates to Boston, and 10,000 troops, including Preston's regiment of horse; to ask a supply of 2000 seamen more to man the fleet for Boston, and to supply the naval establishment at home, which falls short, because Admiral Harland is not arrived, as was expected, with the fleet from India.

After Lord North had finished his speech, the motion was read by the Chairman; when Mr. Dowdeswell rose and spoke to the following purport:

"The noble Lord has endeavoured, by every light into which he can throw the question, to prove that the resistance of the Americans, though it has gone no further than votes and resolutions, is actual and open rebellion; and we are to come to a resolution declaratory of the same idea: I think, Mr. Speaker, that there is no difficulty in proving the direct contrary position; that the Americans are not in rebellion; that their votes and resolutions of the several assemblies, both provincial and continental, are decent and moderate, though firm declarations of the situation in which liberty ought to be held, and tempered with the highest expressions of loyalty and duty to their sovereign. Against what is it that they rebel? Do they deny allegiance to his Majesty? Are they in arms in opposition the King's troops? By what explanation, or by what misconception their conduct is now to be branded with so violent and so fatal an epithet, I cannot apprehend. You passed acts the last session, which, instead of governing America, carried tyranny into the bowels of America, and overturned all legal constitution in one of their provinces; and you utterly ruined the capital of the Empire in that part of the world, by way of punishing the insolence of a mob—you executed them acts by force of arms; the people of the Colonies thinking themselves tyrannically used, and conceiving that the nature of their dependency upon the Parliament of Great Britain was not well understood on either side the water, in order to treat with this country upon such momentous points, convened a general congress; the deputies met in that congress came to resolutions declaratory of their ideas of their submission unto Britain, full of duty and allegiance to the King, and respect of Parliament; but as all free countries have licentious subjects, and freedom in that country attended with licentious news-papers, we, the Parliament of Great-Britain, are to overlook the conduct of the Congress, and search for proof of rebellion among the American mobs, and colony news-papers, which have actually been laid before us as state-papers, upon which we are to form our resolutions; yet in the action of those mobs, and in the expressions of these newspapers, is not rebellion to be found."

The Attorney-General answered Mr. Dunning with great sense and spirit. A general debate now ensued, in which all the able speakers on both sides shewed their abilities.

Col. Barré pointed out the inextricable difficulties into which [illegible] were now plunging the whole empire, by declaring the resistance of the Americans to be rebellion; that when once that declaration was passed by the legislature, the civil American war would be commenced, the sword would be drawn to punish the rebellion that was declared; and he warned the House against a miserable and unhappy catalogue of evils of the deepest hue and the most alarming magnitude that would follow.

Mr. Burke laid forth the numerous ill consequences that must inevitably follow—called the present moment the true crisis of Britain's fate, painted the dreadful abyss into which the nation was going to be plunged; he called upon the commercial part of the house to rouse themselves at the open declaration of their approaching ruin. He pathetically described to the landed interest the fatal effects that must inevitably reach them.

The Solicitor-General in his speech defended the measure in a very able manner. He gave every allowance for, and paid all deference to the interests of commerce and manufacturers; but contended, that in the present case interests were concerned of yet greater consequence; that all the world must acknowledge that when the clearest rights of the legislative power of a country are invaded and denied, and when in consequence the people so denying are in actual and open rebellion, that then there are points of greater importance to be decided and settled than points of commerce and manufacture.

These arguments were replied to in a very masterly manner by the other side of the House, and the debate run very much into an examination of what was rebellion. It was strongly contended that the resistance of the Americans could not possibly come within that description, for a thousand reasons, and none more than the very declaration in question, since real rebellion never wants a declaratory vote to prove it; it is seen & acknowledged by all the world. In the two rebellions of 1715 and 1745, there was no such vote; the fact was taken for granted, and the address of support in the first instance.

Col. Grant, in reply to Mr. Dunning, said, that he had often acted as an officer in the same service with the Americans; that he knew them well, and from that knowledge would venture to predict they would never dare to face an English army, as they were destitute of every one requisite necessary to constitute good soldiers. (15)

Mr. Cruger answered Col. Grant as to the reflection thrown by that gentleman on his countrymen; and lamented in the most pathetic manner, the dreadful consequences of a civil war.

Capt. Luttrell was violent on the side of opposition, differed greatly from what was thrown out by his brother officer, said he knew the disposition and temper of the Americans well, from a

1 See List of Grievances, pa. 971. 2 See Index, under Troops. 3 see our rights, pa. 1089, 1228, &c. (4) See Lett. speech, pa. 403, Vol. 1— Camden's speech, pa. 10, Vol. 2. 5 His plan of reconciliation, pa. 734. 6 See Index, under Town, Counties, Represent. assemblies, Congress, Continental, Resolves, rising of the Country, &c. 7 False, we con-

(2) Index under Agreements. (3) See pa. 519. (4) See the Act pa. 721. (5) See Index, under Ships, or men of War. (6) See Index, under Troops. (7) Running. (8) At Port Act, see page 499, Act for altering the Charter, pa. 592, Act for impartial Justice, pa. 509. (9) Boston by the port Act. (10) In destroying Tea, &c. see Index, under Tea. (11) See Index, under Congress Continental. & see Indexes under Votes & resolves. (12) See Index, under Congress Provinc. (13) Parliamentary administration. (14) He was a great Coward when he sung his was in America. What a fool he proved in this assertion. The World fully answerable! see Index, under Army &c. see Lees

long personal acquaintance with them; and assured the House, they would never submit to be dragooned out of either liberties or property.

The right Hon. Mr. C. Fox made a motion for an amendment to Lord North's motion, by leaving out almost the whole of it, except thanks for the papers; and when the question was called for, it was, whether the words proposed to be left out, should stand part of the motion. The House then divided, ayes 304, noes 105.

The question was then put on Lord North's original motion, and the House again divided, ayes 296, noes 106.

Debated the consideration of the London Merchants petition, and the other petitions on American affairs till Wednesday next.

House of Commons, February 7.

As soon as the Speaker this day took the chair, which was about half after two o'clock, Lord George Germaine, General Howard, with some other members, were sent on a message to the Lords to desire a conference. The messengers returned in a quarter of an hour, to acquaint the House, that their Lordships would immediately confer with them in the painted chamber. The Committee appointed to draw up the address, accordingly attended, & delivered it to the Lord President, who with fourteen or fifteen other Lords, were the managers appointed on the part of the Peers, desiring that the blank might be filled up, with the words, "Lords Spiritual and Temporal, and." As soon as they came back and reported the conference, the House rose and adjourned.

Feb. 8. A message was delivered from the Lords desiring a conference with the House in the painted chamber. The Committee who managed the last conference met their Lordships in the painted chamber, when the Lord President (Lord Gower) acquainted them, that the House of Lords had consented to fill up the blank with the words, "Lords Spiritual and Temporal, and."

As soon as the conference was reported, Lord North rose and informed the House that he had intended to have moved some other propositions respecting the measures to be pursued towards America, but his Majesty having signified his pleasure that he would that day receive the address of both Houses, and that it would be difficult to procure a full House, as many of the members would not probably return, when the order of the day came to be read, for the House to go into a Committee on the American papers; he gave this timely notice, that he should move to postpone the further consideration of the papers till friday.

Mr. Fox observed, that the noble Lord was all hurry till he had effected measures for rescuing General Gage out of the very dangerous situation he was in; that he now imagined he had got him into a state of security, he meant to proceed more coolly and deliberately, because he dreaded that the defeat & destruction of that General and his troops would be solely attributed to his Lordship's negligence and rashness. He contrasted his Lordship's conduct respecting the several petitions presented by the American Merchants, remarking that Administration would not wait a single day to hear the complaints of so respectable a body; but now, that his favourite measure was carried, he seemed to proceed with caution and deliberation. He concluded by observing, that he understood the measure his Lordship had next in contemplation to carry into execution was the most extraordinary that ever entered into the head of an English minister, to prevent the New-England Provinces from fishing on the banks of Newfoundland.

Lord North replied with great warmth to those charges. He said, it was impossible for him to escape the censure of that honorable gentleman, let him act as he might. If he had proposed any measure to the consideration of Parliament this day or to-morrow, hurrying matters precipitately would be imputed to him; now that he has given the House a respite of one day to consider and deliberate, he was charged with procrastination, and to what motive was this delay attributed? because Gen. Gage was in safety. For his part, he did not see how any resolution of either House of Parliament, could be a means of immediate security to that General, if he were in danger. He was sure he was not; but was at present in all imaginable safety and security. As to the petitions, he denied that the House refused to hear them; neither were they withdrawn, but were still properly under the consideration of the House. As to the petition of the West India merchants, they might have presented it if they pleased; they might still present it if they thought fit; not upon any ground, could the information of one day, upon a subject so vast and extensive, be of any material service.

A Correspondent has favoured us with the following list of the minority on Friday last in the Upper Assembly, on Lord Chatham's motion for withdrawing the land forces from Boston, viz. Dukes of Cumberland, Richmond, Manchester, Portland, Marquis of Rockingham, Earls Stanhope, Chatham, Spencer, Abingdon, Thos. Fitzwilliam, Tankerville, Shelburne, Besborough, Dunsford, Lord Beaulieu, and Camden, Bishop of Exeter.

BOSTON, *April* 10

Extract of a Letter from New-York, *April* 3. 1775.

"I am really under the greatest anxiety for the fate of you and your distressed citizens, as such great quantities of military stores have been carried from hence to your Town, as well as boards, hay, straw, bran, harness, &c. &c. which added to the 300 horses that we are told are sent for to Canada, portends the worst of designs. It is suspected that the troops really mean to take the field, and attempt to open the Courts under the new regulation, or make a forced march to Worcester.—Others imagine that they will march out 5 or 10 miles at a time, in order to compel you to commence hostilities first, whilst some think that nothing will be attempted 'till the Parliament has decided on the grand controversy. However, I am not clear but that orders to prosecute the Ministry's intentions, 'till the Parliament decides otherwise, may have been sent; and should your noble spirits be subdued, there is no doubt but the Parliament itself would justify such a conduct, tho' at the expence of much blood and treasure.—For Heaven's sake be watchful, as all, under God, depends on your conduct at this time. A vessel with nails, boards, &c. for the army is ashore at Hell-Gate."

Extract of a Letter from a Gentleman in North-Carolina, *to his Friend in* Boston, *dated March* 3 1775.

"We have taken the distressed State of Boston into serious Consideration, and are making a Collection of Provisions for your Relief. Our Committee has order'd me, as Chairman, to acquaint your Committee that Capt. Thomas Paine of Plymouth, had asserted, that the Poor Tradesmen of Boston were not in want of any Assistance, and that Corn would fetch but two Shillings per Bushel, &c. which put a great Stop to our Collections, &c. He is a Son of Liberty, which he declared he was (as he would have been roughly handled) we shall take for granted that his Assertions are true, if not Tar and Feathers are too good for him; any thing short of Death is not too bad.—That God Almighty may continue to Support you, is the Prayer of many here.——Yours &c.

Pitt County, Chatham, North-Carolina."

Last Friday an Inquisition was taken on the Body of a new born Infant, which was found dead at the North Part of the Town, when it appeared clear that the said Infant was a Bastard, born of Mary Cobbat of Boston, Spinster, on the Morning of the 6th Instant, who had taken all possible Methods to conceal the Birth of said Infant, and that he died by the inhuman Neglect of it's said Mother, who we hear is taken into Custody, and will be Committed in Order for Trial as soon as the Circumstances will permit.

Last Saturday departed this life Mrs. JANE IVERS, wife of THOMAS IVERS, in the 34th year of her Age, greatly lamented by all who knew her.—Her Funeral is to be from his house on Tuesday at 4 o'Clock in the Afternoon, when her Friends and Acquaintance are desired to Attend.

DIED] Miss. Susanna Edes, Æ. 27. Her Funeral is to be on Friday next, when her Friends and Acquaintance are desired to attend.

Hutchinson, March 26th, 1775.

"Since my last I have heard of a pretty high affair which lately happen'd at Westminster, in the County of Cumberland, Province of New York.

The Commonality of that, and some adjacent Towns, chose a Committee to wait upon the Court (which was to sit at that Place the 14th Instant) and desire them not to proceed to Business at present, but to adjourn till the affairs of this Country were in a more settled State. But the Court would by no means comply with this reasonable request. And the aforesaid Committee or Committees having taken possession of the Court-House, the High-Sheriff order'd them to disperse, or he and his Company (consisting of Attorney's, &c) would immediately Fire upon them.

The People in the House not readily obeying his Orders, he Fired at one —— French, who stood Centinel at the Door, and Shot him through the Body; but he recover'd himself so as to fit up, when he receiv'd Four or Five Balls in different Parts of his Body, and was then run through with a Pitch-Fork, which put an end to his Life. Several others were Wounded, one Houghton, Mortally, so that he is since Dead.

The Sheriff and his Companions then thrust all their Antagonists into Goal, which I understand is under the Court-House, without allowing them Liberty to send for the necessary assistance of Chirurgeons for those who were Wounded, some of whom had their Legs, Arms, &c. broke.

The Victors then proceeded to divert themselves, by Dancing, &c. over the Heads of the unhappy Sufferers.

But in the Morning the People arose with one Consent, and obliged them to change Situations.

Several of the Murderers made their Escape; one or two concerned in the Affair, I understand, are in Boston.

How this horrid Affair will terminate I know not—but I am glad it was not in this Province.

The Account I have given of it, came from a Nephew of the aforesaid Houghton who lost his Life in the Fray.

Information was this day given to the Selectmen, that a young Woman was taken down with the Small Pox, at Mr. Blake's, near Dr. Byles's Meeting House. She was immediately removed to the Hospital at West Boston. April 9th, 1775.

On WEDNESDAY next,

At Ten o'Clock in the Morning,

Will be sold by Public Vendue, at Russell's Auction Room, Queen Street,

A general Assortment of House Furniture, viz.

A neat Mohogany Chest on Chest Draws, Tables, Chairs, Desks, Looking Glasses, Feather Beds, &c. &c.——Kitchen Furniture, &c.

J. RUSSELL, Auctioneer.

A Wet Nurse with a good young Breast of Milk, would go into a Gentleman's Family to Suckle a Child. Inquire of the Printers.

All Persons who have any Demands on, or are indebted to the Estate of PETER CHARDON, Esq; of Boston, lately deceas'd, are desir'd to apply as soon as may be to the Subscribers, Executors to the last Will and Testament of the Deceas'd.

JOHN LEVERETT,
EDWARD PAYNE,
TIMOTHY NEWELL.

Boston, March 24, 1775.

TO BE LET,

(for a Term not exceeding Four Years.)

A large and convenient Tenement,

with a commodious Shop, a good Yard and Pump: near the Mill-Bridge, and fronting the Lane leading to Union-Street.

N. B. It may be accommodated to two Families.

Enquire of John Barret, and Sons, at their Store adjoining to said Tenement.

A Quantity of choice MALT, to be Sold. Inquire of the Printers.

WANTED to CHARTER,

A Vessel from 150 to 200 Tons or upwards, to perform a Voyage to Great Britain.—Any Person having such a Vessel to Let may Enquire of the Printers.

PUBLIC AUCTION,

TO BE SOLD

By *BENJAMIN CHURCH,*

At his usual Place of Sale,

On THURSDAY Evening next,

A general Assortment of EUROPEAN ARTICLES, viz.

BROAD CLOTHS, Kerseys, Forest Cloths, Cambletts, Irish Linens, Lute Strings, Men's Hose, a Parcel of Cutlery, Handkerchiefs, &c.—Some House Furniture, viz. Beds, Tables, Easy Chairs, and others, Wearing Apparel, &c. &c. &c. — A Spinnet, &c.

To begin at SIX o'Clock in the Evening.

THOMAS MOORE, Wharfinger,

begs Leave most respectfully to acquaint his Customers, and others, that he has removed from the Wharff he lately kept, to the Wharff commonly known by the Name of Peck's Wharff, a little to the Southward of Hallowell's Ship Yard, where he carries on the Business as usual, and all Favours gratefully acknowledged, by their humble servant, THOMAS MOORE.

To be Leased for three or five Years,

a Farm in Lexington, about Eight Miles from Charlestown Ferry, containing Fifty or Sixty Acres of Mowing, Orcharding, Tillage and Pasture Land, with a House, Barn and other Conveniences thereto belonging. Any Person inclining to hire the same, may apply to WILLIAM CUTLER of Cambridge, the Owner of said Farm.

Ten Dollars Reward.

ON the 22d Instant, a Person who called himself *Joseph Shepard,* hired a Horse of the Subscriber to go a Journey to Providence, and hath gone off with him: Said Shepard is a Native of Ireland, about 28 Years of Age, middling fleshy, of a light Complexion, a little pitted with the Small-Pox, and wears his own Hair, which is short, was dressed in a brown Surtout, a blue Ratteen Coat, which had Pockets in the Folds, a red crimson Jacket, & black knit Breeches; had with him a long haired red and white spotted Dog, about 15 Inches high, which went by the Name of Rover. The Horse was black, has a Speck in one of his Eyes, carries his Head and Tail high, very thin Shoulders, Trots. Whoever will secure the Man, so that he may be brought to Justice, shall be paid five Dollars Reward, or will stop the Horse, so that the Owner may have him again, shall be paid a Reward of five Dollars, or ten for both Man and Horse as above, with all necessary Charges.

Newport, March 29 1775. JACOB BARNEY.

THE Proprietors of the Township granted to Samuel Livermore, Esq; and others, are hereby Notified that their Meeting stands adjourned to Wednesday the 3d Day of May next, at the House of Isaac Gleason, Innholder in Waltham, at 1 o'Clock, P. M. when it is desired there may be a general Attendance, as Affairs of the utmost Importance (to building Mills, &c.) are then to be transacted. Those who now are delinquent in paying their Taxes, are once more requested to pay said Taxes by said Time, as no further Indulgence can possibly be granted. By Order of the Proprietor's Committee.

Waltham, April 3d, 1775. *Leonard Williams,* Pro. Clk.

New-Auction Room, Dock-Square,

On FRIDAY next, at Ten in the Morning,

Will be Sold by PUBLIC VENDUE, at HUNTER'S Auction Room.

A great Variety of English GOODS, (The Property of a Gentleman leaving the Province.)

WILLIAM HUNTER, Auctioneer.

(The Particulars in the Thursday's Papers.)

Donations receiv'd since our last. (7)

From MASSACHUSETTS-BAY.

From the Aboriginal Natives of Christian-Town on Martha's-Vineyard, Cash, £. 2 1 0

N. B. A Donation of £.28 0 7½ received in January last, was by Mistake published as from Mansfield—It should have been from Manchester.

CONNECTICUT.

Stratfield, 30 Bushels Rye, and 6 Bushels Wheat, by Captain Hubbill.

PENSYLVANIA.

Dover, on *Delaware,* Cash, £.80 0 0

SOUTH-CAROLINA.

From Messrs. *Charles McEvers* and Co. (of New-York,) by two Bills on Major *William Sherif,* being in Part of the nett Proceeds of Rice received by said Gentlemen from South-Carolina. 156 5/6 Parts of a Dollar. £.45 1 8 (7)

Burials in the Town of BOSTON, since our last.

Eighteen Whites. Two Blacks.

And Ten from the Army and Navy.

Baptis'd in the several Churches, Eight.

High Water at BOSTON, *for the present Week.*

Monday, 17 min. aft.	7	Friday, 10 min. after	8
Tuesday, 0 min. aft.	8	Saturday, 54 min. after	10
Wednesday 44 m. aft.	8	Lord's-Day, 44 m.	11
Thursday, 30 min. aft.	9	Full Moon 15D. 5 Afternoon.	

(1) See Index, under Army, &c. & pa. 710 & pa. 710. & See Index, under Gage. (2) See Index, under Troops. (3) See the Act, pa. 721
(4) See Index, under Troops. (5) See Boston's distresses, pa. 541, 596. (6) See Act altering the Charter, pa. 532
(7) See the commencement of hostilities, pa. 723. (8) See Index, under Grievances. (9) See Index, under donations.

& See Barnard's Plan pa. 658, & Hutchinson's Speeches &c. pa. 213, 242, 257.

See page 709

of England may bind the subjects of Ireland, and cites the record 8. E. 2. and subjoins "an excellent precedent to be followed, whensoever any act of parliament shall be made in England, concerning the state of Ireland, &c." By this lord Coke seems to intimate an opinion, that representatives had been and ought to be called from Ireland to the parliament of England, whenever it undertook to govern it by statutes, in which it should be specially named.

After all I believe there is no evidence of any express contract of the Irish nation to be governed by the English parliament, and very little of an implied one; that the notion of binding it by acts in which it is expressly named is meerly arbitrary. And that this nation which has ever had many and great virtues, has been most grievously oppressed: —and it is to this day so greatly injured and oppressed, that I wonder American committees of correspondence and congresses, have not attended more to it than they have.—Perhaps in some future time they may.—But I am running beyond my line.

(1) See declaratory act page 524

We must now turn to Burrows's reports, vol. 2. 834. Rex vs. Cowle. Lord Mansfield has many observations upon the case of Wales, which ought not to be overlooked. Page 850. He says, "Edward 1st. conceived the great design of annexing all other parts of the island of Great-Britain to the realm of England. The better to effectuate his idea, as time should offer occasion; he mentioned "that all parts thereof, not in his own hands or possession, were holden of his crown." The consequence of this doctrine was, that, by the feudal law, supreme jurisdiction resulted to him, in right of his crown, as sovereign lord, in many cases, which he might lay hold of; and when the said territories should come into his hands and possession, they would come back as parcel of the realm of England, from which (by fiction of law at least) they had been originally severed. This doctrine was literally true as to the counties palatine of Chester and Durham. But (no matter upon what foundation) he maintained that the principality of Wales was holden of the imperial crown of England: he treated the prince of Wales as a rebellious vassal; subdued him; and took possession of the principality. Whereupon, on the 4th of December, in the 9th year of his reign, he issued a commission to enquire "*per quas leges et per quas consuetudines, antecessores nostri reges regni consueverant principem Walliæ et barones walenses Walliæ et pares suos et alios in priores et eorum pares, &c.*" If the principality was feudatory, the conclusion necessarily followed, that it was under the government of the king's laws, and the king's courts, in cases proper for them to interpose; though (like counties palatine) they had peculiar laws and customs, *jura regalia*, and complete jurisdiction at home." There was a writ at the same time issued to all his officers in Wales, to give information to the commissioners:" and there were 14 interrogatories specifying the points to be enquired into. The statute of Rutland 12. E. 1. refers to this inquiry. By that statute he does not annex Wales to England, but recites it as a consequence of its coming into his hands— *Divina providentia terram Walliæ, priùs, nobis jure feodali subjectam, jam in proprietatis nostræ dominium convertit, et coronæ regni angliæ, tanquam partem corporis ejusdem aunexuit, et univit.*" The 27. H. 8. c. 26. adheres to the same plan, and recites that Wales ever hath been incorporated, annexed, united and subject to, and under the imperial crown of this realm, as a very member, and joint of the same." Edward 1. having succeeded as to Wales, maintained likewise that Scotland was holden of the crown of England.—This opinion of the court was delivered by lord Mansfield in the year 1759. In conformity to the *system* contained in these words, my lord Mansfield, and my lord North, together with their little friends Bernard and Hutchinson, have "conceived the great design of annexing" all North-America "to the realm of England," and "the better to effectuate this idea, they all maintain, that North-America is holden of the crown."—

(2) See North's speech, &c. pa. 710. Address Ibid. See Indexes, under Numbers of inhabitants. (3) North Mansfield (4) Chatham. (5) See Barnard's plan, pa. 658. & Which was first began, see on Molasses Act pa. 9. vol. 2. & See Act, pa. 735, Vol. 1. (6) See the Pilgrim of the Constitutional, may-flower, pa. 79 & 1050—relation of right, pa. 816—Bill of rights, pa. 1053, Vol. 2. (7) See on Ireland, pa. 708, 709. & See pa. 13, 242, 257 (8) See our Charter, pa. 1077. Vol. 2.

And (no matter upon what foundation) they all maintained that America is dependent on the imperial crown and parliament of Great Britain! and they are all very eagerly desirous of treating the Americans as rebellious vassals, to subdue them and take possession of their country.—And when they do, no doubt America will come back as parcel of the realm of England, from which (by fiction of law at least) or by virtual representation, or by some other dream of a shadow of a shade, they had been originally severed.

But these noblemen & ignoblemen ought to have considered that Americans understand the laws and the politicks as well as themselves, and that there are 600 000 men in it, between 16 and 60 years of age, and therefore it will be very difficult to chicane them out of their liberties by "fictions of law," and "no matter upon what foundation."—

Methinks I hear his lordship upon this occasion, in a soliloquy somewhat like this.—"We are now "in the midst of a war, which has been conducted with unexampled success and glory. We "have conquered a great part, and shall soon "compleat the conquest of the French power in "America. His majesty is near 70 years of age, "and must soon yield to nature.—The amiable, "virtuous and promising successor, educated under the care of my nearest friends, will be influenced by our advice. We must bring the war "to a conclusion, for we have not the martial spirit and abilities of the great commoner? but we "shall be obliged to leave upon the nation an immense debt. How shall we manage that? "Why, I have seen letters from America, propo"sing that parliament should bring America to a "closer dependence upon it, and representing "that if it does not, she will fall a prey to some "foreign power, or set up for herself. These hints "may be improved, and a vast revenue drawn "from that country and the East-Indies, or at "least the people here may be flattered and quieted with the hopes of it. It is the duty of a "judge to declare law, but under this pretence, "many we know have given law or made law, "and none in all the records of Westminster-hall "more than of late. Enough has been already "made, if it is wisely improved by others, to over"turn this constitution! Upon this occasion I "will accommodate my expressions, to such a de"sign upon America and Asia, and will so accom"modate both law and fact, that they may here"after be improved to admirable effect in promo"ting our design."—This is all romance, no doubt, but it has as good a moral as most romances. For 1st. It is an utter mistake that Ed. 1st. conceived the great design of annexing all to England, as one state, under one legislature.—He conceived the design of annexing Wales, &c. to his crown.—He did not pretend that it was before subject to the crown but to him. "*Nobis jure feodali*" are his words. And when he annexes it to his crown, he does it by an edict of his own, not an act of parliament: and he never did in his whole life allow, that his parliament, that is his lords and commons, had any authority over it, or that he was obliged to take or ask their advice in any one instance concerning the management of it, nor did any of his successors for centuries.—It was not Ed. 1. but Henry 7. who first conceived the great design of annexing it to the realm, and by him and H. 8. it was done, in part, but never compleated until Jac. 1.—There is a sense indeed in which annexing a territory to the crown, is annexing it to the realm, as putting a crown upon a man's head, is putting it on the man, but it does not make it part of the man. 2d. His lordship mentions the statute of Rutland, but this was not an act of parliament, and therefore could not annex Wales to the realm if the king had intended it, for it never was in the power of the king alone to annex a country to the realm.—This cannot be done, but by act of parliament.—As to Edward's treating the prince of Wales as a "rebellious vassal,"—this was arbitrary, and is spoken of by all historians as an infamous piece of tyranny.

Ed. 1. and H. 8. both considered Wales as the *property* and *revenue* of the crown, not as a part of the realm, and the expressions, "*coronæ regni angliæ, tanquam partem corporis ejusdem*," signified "as part of the same body," that is of the same "crown," not "realm" or "kingdom"; and the expressions in 27. H. 8. under the imperial crown of this realm, as a very member "and joint of the same," mean, as a member and joint of the "imperial crown," not of the realm.—For the whole history of the principality, the acts of kings, parliaments, and people shew, that Wales never was intituled by this annexation to the laws of England, nor bound to obey them.—The case of Ireland is enough to prove that the crown and realm are not the same.—For Ireland is certainly annexed to the crown of England, and it certainly is not annexed to the realm. (7)

There is one paragraph in the foregoing words of lord Mansfield which was quoted by his admirer Governor Hutchinson in his dispute with the house with a profound compliment. "He did not know a greater authority," &c.—But let the authority be as great as it will, the doctrine will not bear the test.

"If the principality was feudatory, the conclusion necessarily follows, that it was under "the government of the king's laws"—Ireland is feudatory to the crown of England, but would not be subject to the king's English laws, without its consent and compact.—An estate may be feudatory to a lord, a country may be feudatory to a sovereign lord, upon all possible variety of conditions—it may be only to render homage—it may be to render a rent, it may be to pay a tribute—if his lordship by feudatory means, the original notion of feuds it is true by that the king the general imperator, was absolute, and the tenant held his estate only at will and the subject not only his estate but his person—life at his will.—But this notion of feuds had been relaxed in an infinite variety of degrees, in some the estate is held at will, in others for life, in others for years, in others forever, to heirs, &c. in some to be govern'd by prince alone, in some by prince & nobles, and in some by prince, nobles and commons, &c. So that being feudatory by no means proves that English lords and commons have any share in the government over us.—As to counties palatine; these were not only holden of the king and crown, but were exerted by express acts of parliament, and therefore were never exempted from the authority of parliament. The same parliament, which erected the county Palatine, and gave it its *jura regalia*, and compleat jurisdiction, might unmake it, and take away those regalia and jurisdiction. But American governments and constitutions were never erected by parliament, their *regalia* and jurisdiction were not given by parliament, and therefore parliament have no authority to take them away.

But if the colonies are feudatory to the kings of England, and subject to the government of the king's laws, it is only to such laws as are made in their general assemblies, their provincial legislatures.——

NOVANGLUS.

(*To be continued.*) 713

This Day Published,
And Sold by the Printers hereof;
[*Price Nine Coppers.*]

The GROUP.

THIS DAY PUBLISHED,
And Sold opposite the Court-House in Queen-Street,
[*Price Three Coppers.*]

A
NARRATIVE
OF THE
Miseries of *New-England*,
BY REASON OF
An *Arbitrary Government*
Erected here in the *Tyrannic* Reign of Sir *Edmund Andros*.

—— ALSO, ——

The fifth Chapter of the first Book
of the American Chronicles of the *Times*.

RAN away from the subscriber, on the Evening of the 12th Instant, a Negro Man, named PRIMUS, about 52 Years old, he carried away with him a light brown Coat, a green Ratteen Outside Jacket, and a red Broad Cloth Waistcoat, and a pair of short Trowsers, and is supposed to have a bundle of Cloaths with him, he is about five Feet eight Inches high. Whoever shall take up said Negro, and secure him in any one of his Majesty's Goals, shall have ONE DOLLAR Reward, paid by JOSEPH HOYR.

All Masters of Vessels and all others are hereby cautioned against harbouring, concealing or carrying off or employing said Negro as they would avoid the Penalty of the Law. Newbury-Port, March 23, 1775.

To be Sold on Mr. *John Preston's* Wharf,
Choice Blacksmiths Coals,
at Nine Dollars per the single Chaldron, and less by the Quantity.—Also, one excellent Marble Slabb.

The Commissioners appointed by the Hon. *Samuel Danforth*, Esq; Judge of Probate for the County of Middlesex, to receive and examine all Claims of the Creditors to the Estate of *Margaret Pinsent*, late of Waltham, Widow, deceased, represented Insolvent, and Six Months being allowed for bringing in said Claims, Give Notice that they shall attend said Service at the British Coffee-House in King-Street, Boston, on the first Thursday in this and the Five following Months, from 6 to 9 o'Clock, P. M. Boston April 3d, 1775.

WANTED TO CHARTER,
Two good Vessels, burthen from 130, to 160 Tons, to Load at Charlestown, South-Carolina, with Rice, for Cowes, and a Market, or any Port in Great-Britain—Any Person inclining to Charter such Vessels, may by applying to the Printers hereof be informed of the Person who will Contract for the same. Boston, March 29, 1775.

All Persons that are Indebted to the Estate of Mr. *Francis Johonnot*, Distiller, deceased, are desired to pay their respective Balances to *Mary Johonnot*, Administratrix on said Estate.—And those to whom the Estate is Indebted, are requested to render their Accounts in order for Payment.

N.B. The Distilling Business carried on as usual, where She begs the favour of former Customers and others,

All Persons that have any Accounts open with the Estate of *Ebenezer Howard*, late of Braintree, Yeoman, deceas'd, are desired to settle the same with *Thomas Newcomb*, of said Braintree, Administrator to said Estate, as soon as may be.

Boston: Printed, by EDES & GILL,
in Queen-Street, 1775.

& See indexes under Committees, &c. pa. 159, &c. & See list of Grievances, pa. 974 & See Indexes under North, Mansfield, Bernard, & Hutchinson. & Congresses. & See Wales, pa. 695, &c. & See essay on the Canon & Feudal Law